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HOUSE RECORD

First Year of the 165th General Court

Calendar and Journal of the 2017 Session

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Vol. 39 **Concord, N.H.** **Friday, April 28, 2017** **No. 22**

Contains: Reports and Amendments; Notice of Reconsideration; House Deadlines; Meetings and Notices

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The next House session will be **Thursday, May 4, 2017, at 10:00 a.m**.

Please remember that reimbursement for travel to Concord is limited to Tuesdays, Wednesdays and Thursdays, unless prior approval has been received from the Speaker or if you are a member of a statutory committee that meets on Mondays or Fridays.

Shawn N. Jasper, Speaker

NOTICE

There will be a meeting of chairs and vice chairs on **Tuesday, May 2nd, at 9:00 a.m. in** Rooms 202-204 of the Legislative Office Building.

Shawn N. Jasper, Speaker

NOTICE

There will be a Republican caucus on **Wednesday, May 3rd at 9:00 a.m.** in Representatives Hall.
There will be a Republican caucus on **Thursday, May 4th at 9:00 a.m.** in Representatives Hall.

Rep. Dick Hinch

NOTICE

There will be a Democratic caucus on **Thursday, May 4th at 9:00 a.m.** in Rooms 210-211, LOB.

Rep. Stephen Shurtleff

NOTICE OF RECONSIDERATION

On April 21, 2017 at 8:13 a.m., Representative Robert R. Cushing, having voted with the prevailing side, served notice of reconsideration **on the motion of Ought to Pass on SB 15, relative to the law regarding therapeutic use of cannabis,** which the House passed on a voice vote.

Paul C. Smith
Clerk of the House

NOTICE

ALL reports, scheduling and notices are due in the House Clerk's Office by **3:00 p.m. on WEDNESDAYS**. Reports and scheduling shall be turned in to House Committee Services for processing ***no later than 1:00 p.m.*** on Wednesday. Please be sure to complete that work in a timely fashion to meet the Calendar deadline.

CLOSES AT 3:00 p.m. ON:	**AVAILABLE ON:**
Wednesday, May 3, 2017	Friday, May 5, 2017
Wednesday, May 10, 2017	Friday, May 12, 2017
Wednesday, May 17, 2017	Friday, May 19, 2017

Paul C. Smith, Clerk of the House

2017 HOUSE DEADLINES

Thursday, May 4, 2017	Last day to act on SBs going to a second committee
Thursday, May 25, 2017	Last day to report all remaining SBs
	Last day to report list of retained SBs
Thursday, June 1, 2017	Last day to act on SBs
Thursday, June 8, 2017	Last day to form Committees of Conference
Thursday, June 15, 2017	Last day to sign Committee of Conference reports
Thursday, June 22, 2017	Last day to act on Committee of Conference reports

BILLS LAID ON TABLE

CACR 2, relating to natural rights of children. Providing that children have a natural right to be protected by their parents. (Pending Question: Inexpedient To Legislate)
HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2018 and June 30, 2019. (Pending Question: Ought To Pass)
HB 2-FN-A-LOCAL, relative to state fees, funds, revenues, and expenditures. (Pending Question: Ought To Pass)
HB 102, relative to mandatory headlamp use. (Pending Question: Inexpedient To Legislate)
HB 106, relative to corroborating evidence in sexual assault prosecutions. (Pending Question: Inexpedient To Legislate)
HB 138, relative to persons held in civil contempt. (Pending Question: Inexpedient To Legislate)
HB 199, relative to including hydroelectric in renewable energy classes. (Pending Question: Inexpedient To Legislate)
HB 204-FN, relative to bonds for public employees. (Pending Question: Inexpedient To Legislate)
HB 205-FN, relative to flying a drone above a correctional facility. (Pending Question: Adoption of majority committee amendment 2017-0154h, Ought To Pass with Amendment)
HB 279, relative to smoking on private property. (Pending Question: Ought To Pass)
HB 335, relative to notice of federal motor carrier safety regulations. (Pending Question: Inexpedient To Legislate)
HB 341, repealing the provisions for tax exemption for certain chartered public school facilities. (Pending Question: Inexpedient To Legislate)
HB 381-FN, relative to cruelty to non-captive wildlife. (Pending Question: Adoption of majority committee report of Inexpedient To Legislate)
HB 394, relative to public employees testifying before legislative committees. (Pending Question: Inexpedient to Legislate)
HB 396, relative to student assessment data privacy. (Inexpedient To Legislate)
HB 398, establishing a commission to study and evaluate providing financial incentives for professional media production activity in New Hampshire. (Pending Question: Inexpedient To Legislate)
HB 419-FN-LOCAL, relative to real estate leased for a public charter school. (Pending Question: Inexpedient To Legislate)
HB 462, relative to rules of the site evaluation committee. (Pending Question: Inexpedient To Legislate)
HB 466, relative to the selection of delegates to an article V convention. (Pending Question: Inexpedient To Legislate)
HB 478, prohibiting discrimination based on gender identity. (Pending Question: Ought To Pass)
HB 535, relative to community net metering. (Pending Question: Inexpedient To Legislate)
HB 541-FN, relative to the compensation of members of the general court. (Pending Question: Inexpedient To Legislate)
HB 553-FN, relative to biennial motorcycle inspections. (Pending Question: Inexpedient To Legislate)
HB 578-FN, relative to banning abortion after viability. (Pending Question: Ought To Pass)
HB 585-FN-LOCAL, abolishing fluoridation in water. (Pending Question: Inexpedient To Legislate)
HB 598-FN-LOCAL, relative to voluntary registration of motor vehicles. (Pending Question: Inexpedient To Legislate)
HB 599-FN, establishing the office of ombudsman in the department of state. (Pending Question: Inexpedient To Legislate)
HB 603-FN-A, establishing the John and Molly Stark student debt reduction program and making an appropriation therefor. (Pending Question: Adoption of majority committee report of Inexpedient To Legislate)
HB 615-FN-A, reducing the rates of the business profits tax and the business enterprise tax. (Pending Question: Inexpedient To Legislate)
HB 618-FN, eliminating the bureau of certificate of title and providing for the criminal prosecution for its supervisor. (Pending Question: Inexpedient To Legislate)
HB 621-FN-A-LOCAL, establishing a road usage fee and making an appropriation therefor. (Pending Question: Ought To Pass)

HB 626-FN, relative to annulment of criminal records. (Pending Question: Inexpedient To Legislate)
HB 647-FN-LOCAL, establishing education freedom savings accounts for children with disabilities. (Pending Question: Inexpedient To Legislate)
HB 648-FN, relative to van parking for persons with disabilities. (Pending Question: Ought To Pass)
HCR 3, rescinding all applications by the New Hampshire legislature for a federal constitutional convention and urging other states to withdraw similar requests. (Pending Question: Adoption of majority committee report of Inexpedient To Legislate)
HCR 5, applying for a convention of the states under Article V of the Constitution of the United States. (Pending Question: Inexpedient To Legislate)
HCR 7, applying to the United States Congress to convene a limited convention for the exclusive purpose of proposing amendments to the federal Constitution concerning election reform that do not abrogate or amend the First Amendment to the federal Constitution. (Pending Question: Inexpedient To Legislate)
HR 8, urging Congress to investigate the lawsuits against Trump University. (Pending Question: Inexpedient To Legislate)
HR 9, affirming revenue estimates for fiscal years 2017, 2018, and 2019. (No Pending Question)

2017 HOUSE BILLS AMENDED BY THE SENATE

HB 82, relative to hair braiding. (SJ 4/20/2017)
HB 84, (Second New Title) relative to having a loaded firearm in a motorhome, and relative to having or carrying a loaded rifle or shotgun in a motor vehicle. (SJ 4/20/2017)
HB 86, relative to voting on variances. (SJ 4/20/2017)
HB 88-FN, (New Title) relative to Purple Heart and Pearl Harbor survivor number plates. (SJ 4/20/2017)
HB 94-FN, (New Title) prohibiting certain defenses in prostitution and human trafficking cases and relative to fines assessed for certain offenses involving domestic violence. (SJ 4/20/2017)
HB 140-FN, (New Title) authorizing wine manufacturer retail outlets. (SJ 4/20/2017)
HB 152-FN, (New Title) relative to wholesale distributors of alcoholic beverages. (SJ 4/20/2017)
HB 167, relative to audits of county funds. (SJ 4/20/2017)
HB 186, (New Title) relative to limitation of actions in which the state is a plaintiff. (SJ 4/20/2017)
HB 208, establishing a commission to study current mental health procedures for involuntary commitment. (SJ 4/6/2017)
HB 211-FN, (New Title) relative to temporary OHRV registrations for nonresidents, and OHRV and snowmobile trail connectors. (SJ 4/20/2017)
HB 219, establishing a demographic study committee. (SJ 3/23/2017)
HB 226, relative to documenting the improvement of non-proficient readers. (SJ 4/20/2017)
HB 228, relative to transportation of alcoholic beverages by a minor. (SJ 4/20/2017)
HB 237, (New Title) establishing a committee to study helmet and restraint laws for youth operators and passengers of OHRVs and snowmobiles, and relative to a trail connector in the town of Henniker. (SJ 4/20/2017)
HB 262, (New Title) declaring the common blackberry to be the berry of the biennium. (SJ 3/29/2017)
HB 303-L, (New Title) relative to filling vacancies in the office of county commissioner and relative to procedures for adoption of the budget for Rockingham County. (SJ 4/20/2017)
HB 315, (New Title) relative to persons who may accompany a youth operator of an OHRV. (SJ 4/20/2017)
HB 319, (Second New Title) limiting 20-day registration plates, relative to the suspension of a driver's license, and relative to salvage certificates of titles for motor vehicles. (SJ 4/20/2017)
HB 329, (New Title) establishing a committee to study balance billing and authorizing municipal ratification of certain meetings and elections. (House Nonconcurs, C of C 4/20/2017))
HB 332, relative to dedicated funds with no activity in the financial system for at least the most recent fiscal year. (SJ 4/6/2017)
HB 364, relative to accidents involving youth operators of motor vehicles. (SJ 4/6/2017)
HB 368-FN-A, relative to the heating of certain state-owned buildings in Concord and making appropriations therefor. (House Nonconcurs, C of C 3/23/2017)
HB 371-L, relative to bond requirements for public works contracts. (SJ 4/20/2017)
HB 389, relative to voters with physical disabilities. (SJ 4/20/2017)
HB 420-FN, relative to ignition interlock requirements in manslaughter cases involving alcohol. (SJ 4/20/2017)
HB 431, establishing a commission to study long term goals and requirements for drinking water in the seacoast area. (SJ 4/20/2017)
HB 448, relative to certain ignition interlock violations. (SJ 4/20/2017)
HB 488, establishing a state parks advisory council. (SJ 3/23/2017)
HB 501, relative to access to minutes of meetings of condominium unit owner's associations. (SJ 4/20/2017)
HB 502, relative to the availability of condominium financial information to unit owners. (SJ 4/20/2017)
HB 514, (New Title) relative to alternate members of planning boards. (SJ 4/20/2017)

HB 556, (New Title) requiring schools to post the state telephone numbers to report child abuse and relative to criminal history records checks of school employees and volunteers. (SJ 4/6/2017)
HB 586-FN, relative to the regulation of certain professions by the office of professional licensure and certification. (SJ 4/20/2017)
HB 612, relative to livestock and meat inspection. (SJ 4/20/2017)
HB 620, (Second New Title) relative to compliance with state and federal education mandates and relative to school accreditation for the 2017-2018 school year. (SJ 4/20/2017)
HB 650-FN, relative to procedures of the board of psychologists. (SJ 4/20/2017)

THURSDAY, MAY 4
CONSENT CALENDAR

COMMERCE AND CONSUMER AFFAIRS

SB 16, reauthorizing the commission to study apportionment of gross business profits under RSA 77-A and the committee to study the process by which business names are authorized by the secretary of state. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Kermit Williams for Commerce and Consumer Affairs. This bill reauthorizes two study groups that were established and terminated last year. The Commission to Study Apportionment of Gross Business Profits has been looking at ways to create fairness for businesses taxed by multiple states. The Committee to Study the Process by Which Business Names are Authorized has been reviewing the recently changed business name approval process adopted by the Secretary of State's Office. The amendment extends the reporting date for both groups from November 1, 2017 to November 1, 2018. In both cases, the Commerce Committee had no objection to granting each group more time to address their charges. **Vote 19-0.**

SB 80, (New Title) relative to implementation of the all veterans' tax credit, and relative to applications for recovery from the FRM victims' contribution recovery fund. **OUGHT TO PASS.**
Rep. Kermit Williams for Commerce and Consumer Affairs. The committee heard testimony and gave consideration only to the second half of this bill. The first half is out of our area of policy and, we anticipate that it will be referred to another committee for consideration. The second section seeks to change the application deadline for victims applying for relief from the FRM Victims' Contribution Recovery Fund. Under legislation adopted last year, the Attorney General's Charitable Trust Unit is responsible to engage an administrator for the recovery fund. We heard testimony from this unit that they were unable to find someone qualified and willing to take on the task, in spite of spending a significant amount of time and resources searching. The committee wishes to provide victims of the FRM fraud opportunities for recovery if possible, so we support changing the deadline to enable them to apply once an appropriate administrator comes forward. However, we believe that the Charitable Trust Unit should not be required to continue to spend resources searching for a candidate, but should be available to interview candidates put forward by others interested in aiding the FRM victims. **Vote 19-0.**

SB 93, relative to adoption of the Uniform Access to Digital Assets Act. **OUGHT TO PASS.**
Rep. Richard Abel for Commerce and Consumer Affairs. This bill establishes the Revised Uniform Fiduciary Access to Digital Assets Act. It addresses access to and management of a decedent's electronic records of asset accounts and other electronic media accounts, in the same way tangible assets are addressed. It specifies legal means by which a user may provide direction and disclosure or nondisclosure of digital assets and have them managed according to the individual's wishes. It specifies how a court may determine the same in absence of written documentation. The law regulates the fiduciary responsibilities of an heir, beneficiary, estate executor, power of attorney, trustee or custodial agent to carry out fiduciary responsibilities. The law is careful to protect personal privacy according to the user's wishes and specifically excludes medical information protected by the Health Insurance Portability and Accountability Act (HIPAA). Twenty-seven states have already enacted similar legislation. **Vote 19-0.**

EDUCATION

SB 45, requiring a course in civics for high school graduation. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Michael Moffett for Education. As amended, this bill clarifies the state's requirements with regard to the teaching of United States and New Hampshire history in New Hampshire schools. It also specifies the state's expectations concerning the teaching of government/civics to include an emphasis on the United States and New Hampshire Constitutions. **Vote 19-0.**

SB 104, (New Title) relative to career and technical education. **OUGHT TO PASS.**
Rep. James Grenier for Education. This bill changes the term vocational education to "career and technical" education for all relevant statutes. In addition, this bill requires one member of each regional advisory committee be a certified high school counselor. This counselor will help support the career and technical education program in each designated area. **Vote 19-0.**

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 21, relative to licensure and continuing education of architects. **OUGHT TO PASS.**
Rep. Carol Roberts for Executive Departments and Administration. This bill modifies the continuing education requirements for architects and clarifies the exemptions from needing an architect's stamp. Evidence presented by the American Institute of Architects board members confirmed the education requirements currently in RSA 310-A:46 were redundant in today's environment. The bill does not change the total number of units of continuing education, only the required subjects. The language in the exemptions is aligned with the building code, for greater understanding by contractors and building officials, as well as architects. There is no change to any required oversight, just a clarification. **Vote 17-1.**

SB 140, relative to the independent investment committee in the New Hampshire retirement system. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Mark Proulx for Executive Departments and Administration. This bill simply establishes a three year term for the members of the independent investment committee, who currently serve indefinitely. **Vote 17-0.**

SB 53, relative to regulation of appraisal management companies by the real estate appraiser board. **OUGHT TO PASS.**
Rep. Peter Hansen for Executive Departments and Administration. This bill revises some existing definitions and adds new definitions and requirements for the operation of appraisal management companies in New Hampshire, which are registered by the New Hampshire Real Estate Appraisal Board. This bill is necessary to insure that state licensed appraisal management companies meet the federal requirements contained in the most recent federal rules issued to implement the Dodd-Frank legislation. **Vote 19-1.**

SB 215-FN, permitting the community college system to participate in the state health care plan. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Carol McGuire for Executive Departments and Administration. This bill, as amended by the Senate, was purely enabling legislation, setting a series of conditions for the Community College System of NH to elect to have its employees covered under the state health plan. Participation would have been permitted only after an assessment of the costs by the Department of Administrative Services (DAS) and an agreement between the two entities to make this change. The committee amendment, which replaces the entire bill, specifically authorizes data sharing between the DAS and the Community College System and requires DAS to analyze the data and report their findings, with a plan, by November 1, 2017. This lets both the Community College System and DAS decide if such coverage is in their best interest, while giving the legislature a chance to review and approve the plan before implementation of this policy change. **Vote 19-0.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

SB 155, relative to implementation of the Medicaid managed care program. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Jess Edwards for Health, Human Services and Elderly Affairs. This bill delays the second phase of Managed Care implementation for nursing homes, Choices for Independence, and the Developmentally Disabled to July 1, 2019. The intent of the bill is to give the Department of Health and Human Services an opportunity to create and support a publicly transparent approach to developing the Request for Proposal and to ensure the greatest number of competitors for the contract." **Vote 20-2.**

SB 157, relative to network adequacy and consumer rights under the managed care law. **OUGHT TO PASS.**
Rep. William Marsh for Health, Human Services and Elderly Affairs. This is a common sense solution requiring carriers to notify consumers of their existing rights, and has been agreed to by practically all parties. It adds rule making for substance abuse disorder to the Managed Care Law. **Vote 22-0.**

SB 158, relative to authorization for clinician-prescribed substance use disorder services. **OUGHT TO PASS.**
Rep. Jerry Knirk for Health, Human Services and Elderly Affairs. Medication assisted treatment for substance abuse disorders is not a quick process. The requirement for frequent renewal of authorization consumes a great deal of providers' time, which could be better spent treating patients who need this treatment. The requirement for repeat authorization can result in an interruption of treatment with the potential of a patient returning to substance abuse with a risk of overdose and other addiction-related complications. **Vote 20-1.**

SB 161, establishing a commission to evaluate the direct care workforce and preparedness of long-term care and support services for aging adults with dementia or other cognitive brain injuries. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Mindi Messmer for Health, Human Services and Elderly Affairs. As amended, this bill establishes a commission to evaluate the direct care workforce, long term care preparedness, and support services for aging adults with dementia and other cognitive brain injuries. With our substantially aging demographic, and specific health care needs of this population, it is imperative to assess adaptations necessary to provide patient-centered care. **Vote 22-0.**

SB 234-FN, relative to hypodermic syringes and needles containing residual amounts of controlled drugs and authorizing the operation of syringe service programs in New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**
Rep. William Marsh for Health, Human Services and Elderly Affairs. This bill establishes Syringe Service Programs, a measure necessary for public health in controlling the spread of Hepatitis C and HIV. This is done in a manner agreed to by all parties, including law enforcement. The amendment adds physician assistants and registration for data collection purposes as requested by the Department of Health and Human Services. **Vote 21-0.**

SB 235-FN, (New Title) relative to Medicaid reimbursement to schools for students with medical needs. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Charles McMahon for Health, Human Services and Elderly Affairs. The committee reviewed funding opportunities made available based on federal law changes providing regarding funding for medical services in our school district programs. This bill provides schools the choice to access this funding in those districts covering medical costs for those students who need this assistance. The committee was unanimous in their support of this work. **Vote 20-0.**

SB 247-FN-A, preventing childhood lead poisoning from paint and water and making an appropriation to a special fund. **OUGHT TO PASS.**
Rep. Martin Bove for Health, Human Services and Elderly Affairs. This bill deals with a serious public health issue, and it represents a balance which stakeholders from all sides of the issue have agreed upon. It is a movement forward to solving lead elevations in children and NH's housing stock. It is important to keep the bill as amended by the Senate. **Vote 19-1.**

JUDICIARY

SB 40, relative to electronic wills. **INEXPEDIENT TO LEGISLATE.**
Rep. Linda Kenison for Judiciary. This bill would authorize wills to be written, created and stored in electronic format and executed using electronic signatures. This bill does not contain sufficient safeguards to protect testators, including vulnerable or marginalized individuals, from exploitation. New Hampshire law requires the "physical presence of two subscribing witnesses." This bill eliminates the "physical presence" requirement, increasing the risk of undue influence or duress. **Vote 15-1.**

TRANSPORTATION

SB 187, clarifying the application of the road toll. **OUGHT TO PASS.**
Rep. Chris True for Transportation. This bill exempts U.S. Armed Forces vehicles from the road toll and ends the toll exemption for diplomatic personnel. The bill also makes language in current statutes regarding vehicles over 26,000 pounds compliant with the International Fuel Tax Agreement. **Vote 14-0.**

THURSDAY, MAY 4
REGULAR CALENDAR

CRIMINAL JUSTICE AND PUBLIC SAFETY

SB 131-FN-A, (New Title) establishing a cross border drug interdiction program and making an appropriation therefor. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Laura Pantelakos for the **Majority** of Criminal Justice and Public Safety. This bill establishes a cross border drug interdiction program. It authorizes the hiring of five state troopers to be trained for the program and includes additional funding for the forensic lab and funding for overtime for the state forensic lab, the state police mobile enforcement unit and narcotics and investigations unit. The money will come from fiscal year budget ending June 30, 2017. This is a comprehensive bill, with excellent cooperation from agencies involved, to make a dent in a deadly problem. **Vote 15-3.**
Rep. Scott Wallace for the **Minority** of Criminal Justice and Public Safety. This well intended bill looks to take $2.1 million from an already strapped operational budget. This additional expenditure is not fiscally prudent at this time.

EDUCATION

SB 101-FN, relative to enrollment eligibility for regional career and technical education programs. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Terry Wolf for Education. This bill, as amended, has two education policies. The first section allows students to enroll in career and technical education programs after one year of high school. Current law limits participation to juniors and seniors. This will allow seniors more options including internships and earning early college credit. The second portion of the bill establishes a statewide NH dual and concurrent enrollment program. It assures all NH 11th and 12th grade students the opportunity to enroll in and complete quality post-secondary college credit in science, technology, engineering, and math (STEM) courses regardless of where students live in NH and at no cost to the student. This initiative is implemented with the additional goals of increasing participation rates in post-secondary education; retaining more students in NH upon high school graduation; increasing two and four year degree attainment rates; strengthening connections to businesses through alignment of course and program content with manufacturing, information technology, hospitality, and health care needs; and thereby enabling NH to better meet workforce challenges. Eligible high school students participating in approved high school classes taught by a public school teacher will receive high school graduation credit and college credit simultaneously. This portion of the bill previously passed the House on a voice vote, was retained in Finance, then added to HB2. **Vote 19-0.**

SB 103, limiting food and beverage advertising and marketing on school property. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**
Rep. Victoria Sullivan for the **Majority** of Education. This bill would restrict the advertising and marketing of food and beverages that may not be sold on school property during the school day. The majority of the committee takes the position that if enacted, the bill would limit monetary opportunities for school districts and remove local control in making certain fundraising and advertising decisions in school districts where available funds for activities are already scarce. **Vote 12-7.**
Rep. Linda Tanner for the **Minority** of Education. The minority believes that this bill has merit and should not be dismissed. Public school students are a captive audience to food and beverage advertising of foods with minimal nutritional value. They see ads on busses, in the cafeteria, in teaching materials and on the playgrounds. Currently, childhood obesity and type II diabetes are at critical levels. Research has shown that food and beverage advertising strongly influence children's choices, their diets, and their health. The minority believes that this bill should have been retained for review and improvement.

SB 191-FN, (New Title) establishing the kindergarten initiative development support grant program. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Terry Wolf for the **Majority** of Education. The Governor's "Kids Grant" offered targeted aid to communities based on property valuation, percentage of free and reduced lunch, and percentage of ESL students. The amendment to this bill fully funds all full-day kindergarten students. Full-day kindergarten provides a strong foundation for kids, increased high school graduation rates, and improved likelihood for a student to go on to college. Students learn skills in kindergarten that set up learning in first grade. In communities with higher poverty, full-day kindergarten provides stability to children and, often, two meals per day. The mayor of Manchester testified there are many children in this state being born to addicted mothers and they will soon enter the school system. Many children are being cared for by grandparents. Kindergarten has also become a workforce issue with our neighboring states offering it and parents of young children feeling it is essential. There was agreement among the community that kindergarten should be developmentally and age appropriate. **Vote 15-4.**

Rep. Carolyn Halstead for the **Minority** of Education. This bill as amended expands the scope of government, increases spending, and further limits parents' control of their children's education. Attempts to amend the language of this bill to secure parental control, options for half day programs, and promote developmentally appropriate kindergarten programs were defeated. What the amended bill now provides us is a $14.5 million expanded program that will increase as other communities expand to full day kindergarten to obtain additional funding. As now part of the adequate education formula, it now also implies that full day kindergarten is a required component of an adequate education.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 201, relative to providing pamphlets containing the asbestos regulations to persons engaging in renovation or demolition of structures. **INEXPEDIENT TO LEGISLATE.**
Rep. Steven Beaudoin for Executive Departments and Administration. This bill would require that municipal building officials hand out an asbestos safety information pamphlet whenever a demolition permit is issued. The committee felt that the provisions of RSA 141-E, the chapter governing asbestos management and control, along with the common knowledge of the hazards of asbestos, render this bill an unnecessary, costly and burdensome regulation. **Vote 12-6.**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

SB 65, relative to vaccines administered by pharmacists. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Mark Pearson for the **Majority** of Health, Human Services and Elderly Affairs. In the past, pharmacists lightened the load of family practice physicians and have provided a convenience to patients by administering flu shots. In recent years the education required of individuals who would become pharmacists has significantly increased, ensuring pharmacists know more and can do more. This bill expands the number of vaccines our now better-educated pharmacists can administer. This action will help the work load of primary care physician offices and further provide a convenience to patients. The requirement in the bill that pharmacists notify the primary care provider when designated by the patient keeps the patient's doctor in the loop to assure a good patient-physician relationship and for more complete record keeping. **Vote 14-7.**
Rep. John Fothergill for the **Minority** of Health, Human Services and Elderly Affairs. Although the minority supports vaccinations as part of public health policy, it is unclear if this is the best way to attain this goal. Without a fully functioning vaccine registry a successful immunization program is unlikely. As medical care moves toward a model that attempts to centralize a patient's care in order to improve outcomes and save health care dollars, this bill allows for more splintered care. Finally, although pharmacist are clearly qualified, we heard comments that pharmacists are overworked and asking them to take on this important function in a hurried fashion is ill advised.

JUDICIARY

SB 9, (New Title) relative to the admissibility of proffered evidence in sexual assault cases. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Linda Kenison for the **Majority** of Judiciary. This bill establishes a procedure to determine the admissibility of proffered evidence in sexual assault cases. The purpose of rape shield legislation is to encourage victims of sexual assault to report the crimes perpetrated against them without fear that their prior alleged sexual history will be aired in open court. This bill does not affect the due process rights of any defendant, nor does it keep a defense attorney from asking a judge to admit evidence that is ruled admissible. The bill simply clarifies the protections for victims that were intended to exist all along. **Vote 11-4.**
Rep. Michael Sylvia for the **Minority** of Judiciary. We have a duty to protect the rights of both the defendant and the victim in a sexual assault case; the former has the right to offer proofs of innocence and the latter the right to privacy in matters unrelated to the case. This bill addresses two main points. The first, for which the minority has no objection, covers the handling of sealed records in sexual assault cases. This material was passed in HB 439 which was amended by the Judiciary Committee (2017-0319h), voted 15-0, and passed by the House on the consent calendar. The second point, for which the minority strongly objects, defines "sexual activity" as it relates to "Prior consensual sexual activity between the victim and any person other than the actor shall not be admitted into evidence in any prosecution under this chapter." The definition offered is overly broad and employs circular logic, using sexual activity as a part of a definition of sexual activity. The same definition in this bill was offered and rejected by the Judiciary Committee in amendment 2017-0204h to HB 439 prior to the adoption of amendment 2017-0319h. This definition of sexual activity does nothing to add protections to the victims of sexual assault and infringes on the right of the defendant to have relevant evidence admitted at trial. It is possible that this poor definition may extend the judicial process as evidence proffered and excluded at trial could then become the subject of appellate review to the Supreme Court and

if found to be relevant, remanded back to the trial court. This extension of the process will have a chilling effect on victims. The minority believes that the courts have proper protections in place through rules and precedent, and coupled with the first point in this bill strikes the right balance, protecting victims and those presumed innocent.

SB 230-FN, establishing the Uniform Power of Attorney Act. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Claire Rouillard for the **Majority** of Judiciary. This bill as amended establishes a Uniform Power of Attorney Act for New Hampshire. The bill compiles current New Hampshire laws dealing with the power of attorneys' into one statute. This will enable the public and practicing attorneys accessibility to the power of attorney process. The language has been tailored to New Hampshire's unique laws in both substance and form. Safeguards are in place for notarization of signatures for general powers of attorney (POA). Notification is provided to family members when agents resign or are replaced. A draft POA is included in this bill for use by all New Hampshire residents. This bill is supported by the AARP, New Hampshire Legal Assistance, elder law attorneys, bankers and practicing attorneys. **Vote 12-3.**
Rep. Michael Sylvia for the **Minority** of Judiciary. This bill adds a new chapter, Uniform Power of Attorney Act, under Title LVI - Probates Courts and Decedents' Estates. It repeals three statutory sections: RSA's 506:5, 506:6, and 506:7 relative to powers of attorney under Chapter 506; Prevention of Frauds and Perjuries. The minority is not convinced of the need for this substantial change in powers of attorney. We further are not assured of the veracity of electronic signatures as they relate to the authenticity of the document to which they may be applied. Documents signed under this act, when challenged many years in the future, will likely be seen as archaic and rudimentary; quantum computing is nearing production today. Passage of this bill today may present a large problem for the court system in the future.

SB 232-FN-LOCAL, relative to the issuance of a summons instead of arrest. **INEXPEDIENT TO LEGISLATE.**
Rep. Jason Janvrin for Judiciary. This bill proposes to require someone standing accused, who is issued a summons in lieu of arrest, to be of good behavior. Such a requirement is a condition of bail, if arrested. Currently, there is no consistent way for a law enforcement officer to know that a subject has been bailed in another jurisdiction and there is no way to track from jurisdiction to jurisdiction if a summons has been issued. Until a mechanism is in place for police to have this instantaneous information throughout the state, this bill would not be enforced equally. **Vote 14-2.**

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

SB 190-FN, repealing the sunset provision on the first responder's critical injury benefit fund. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**
Rep. Fred Doucette for the **Majority** of Labor, Industrial and Rehabilitative Services. This bill repeals the prospective repeal of June 30, 2018 of the first responders critical injury benefit and provides for the benefit to continue in perpetuity. The repeal of the repeal also maintains the appropriation language allowing the governor to draw a warrant from funds not otherwise appropriated to pay any claims made. The bill will limit the benefits for all claimants not to exceed $500,000 in a biennium, with a total benefit per claimant not to exceed $125,000 to date, the state has made two payments to claimants: $125,000 in FY 2015 and $125,000 in FY 2016. **Vote 17-4.**
Rep. Brian Seaworth for the **Minority** of Labor, Industrial and Rehabilitative Services. This legislation is another iteration of a bill that we dealt with in the last session. It involves what was originally intended to be a temporary solution to address the lack of Workers' Compensation coverage for certain kinds of internal injuries. The bill was studied last fall, and that committee recommended that the critical injury benefit fund be continued until a solution in Workers Compensation is developed. By submitting legislation to perpetuating this fund without addressing the underlying problem, this suggests that the legislature does not intend to address the Workers' Compensation issue. Last session, we extended the sunset to the end of the biennium to give this legislature time to create the correct solution. The minority feels that the bill should wait until we see what action occurs on that proposal.

PUBLIC WORKS AND HIGHWAYS

SB 38-FN, (New Title) making an appropriation to the department of transportation for local highway aid and aid for municipal bridges. **OUGHT TO PASS WITH AMENDMENT.**
Rep. Gene Chandler for Public Works and Highways. As amended, this bill sends $30,000,000 back to the cities and towns under the regular apportionment A distribution plan already used for this purpose; and adds $6.8 million to the state bridge aid program for municipal bridges under RSA 234. The amended portion of the bill incorporates a change recommended by the Department of Revenue Administration allowing municipalities to make use of these new funds during this construction season. Funding for this portion of the bill comes from 2017 surplus funds.

In the governor's version of HB 2 there were two recommendations from the Department of Transportation; one dealing with the highway betterment program, and the other dealing with red listed bridges. The committee made some changes in the betterment funding formula, allowing up to 30 percent of statewide betterment funds to be used in districts that have a higher percentage of substandard roads. The red listed bridge area added state owned railroad bridges that are over highways, and prescribed that all red listed bridges be inspected bi-annually and every municipal red list bridge annually. Additionally, we added a reporting date of red listed bridges of April 1st of each year.
Passage of this bill as amended will strengthen our commitment to improve state and local infrastructure. **Vote 16-1.**

WAYS AND MEANS

SB 242-FN-A-LOCAL, relative to video lottery and table gaming. **INEXPEDIENT TO LEGISLATE.**
Rep. Gary Azarian for Ways and Means. This bill allows for the selection and operation of two casinos in New Hampshire, including the operation of video slot machines and table games. Economic viability is the key to supporting casino gaming. Previous versions of casino legislation included what this bill lacks. 1) A key demographic site, 2) a viable operator willing to invest in NH, 3) a community vested in the project. This legislation has none of those important ingredients. The advent of the Wynn casinos multi-billion dollar investment in Boston, the expansion of the Oxford Casino in Maine, and the Connecticut tribal plans for expansion to counter the Springfield and Plainville casinos in Massachusetts further saturate an already limited New England market. The public hearing said it all: no support. The near unanimous vote of the committee summed up the obvious, the time for this legislation in NH has passed. **Vote 19-1.**

FRIDAY, APRIL 28

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Department of Revenue, 109 Pleasant Street, Concord

9:30 a.m. Regular meeting.

INFORMATION TECHNOLOGY COUNCIL (RSA 21-R:6), Rooms 210-211, LOB

1:00 p.m. Regular meeting.

MONDAY, MAY 1

STATE COMMITTEE ON AGING (RSA 161-F:7, I), Department of Health and Human Services, Brown Building, 2nd Floor Conference Room, 129 Pleasant Street, Concord

10:00 a.m. Regular meeting.

TUESDAY, MAY 2

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

9:00 a.m. Subcommittee work session on ***SB 24,*** relative to examinations by the insurance commissioner.
10:00 a.m. ***SB 225-FN,*** revising the New Hampshire trust code.
10:30 a.m. ***SB 89,*** relative to the relationship between a franchisor and a franchisee.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

EDUCATION, Room 207, LOB

10:00 a.m. Executive session on ***SB 8-FN,*** relative to school attendance in towns with no public schools; ***SB 43,*** relative to non-academic surveys administered by a public school to its students; ***SB 44,*** prohibiting the state from requiring implementation of common core standards.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

10:00 a.m. ***SB 152,*** relative to criminal history background checks for certain health care workers.
11:00 a.m. Subcommittee work session on ***SB 135-FN,*** relative to the regulation of electricians.
Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

FINANCE - DIVISION I, Room 212, LOB

10:00 a.m. Division work session on ***SB 96-FN,*** relative to the compensation of the boxing and wrestling commission.
10:10 a.m. Division work session on ***SB 132,*** establishing a New Hampshire inventory of historic burial grounds and cemeteries.

JUDICIARY, Room 208, LOB

10:00 a.m. ***SB 67,*** relative to the authority of state police employees.

10:45 a.m. ***SB 59,*** relative to blood testing orders.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:00 a.m. Full committee work session on ***SB 30,*** defining woodland buffers and relative to such woodland buffers for the purposes of the shoreland protection act; ***SB 73,*** relative to septic requirements in conversions to accessory dwellings; ***SB 119,*** relative to the length of docks on a water body, water body size; ***SB 121,*** establishing a commission to determine if the department of environmental services should take over the MS-4 permit system from the Environmental Protection Agency; ***SB 127,*** relative to dissolved oxygen water quality standards.

11:00 a.m. Executive session on ***SB 30,*** defining woodland buffers and relative to such woodland buffers for the purposes of the shoreland protection act; ***SB 73,*** relative to septic requirements in conversions to accessory dwellings; ***SB 119,*** relative to the length of docks on a water body, water body size; ***SB 121,*** establishing a commission to determine if the department of environmental services should take over the MS-4 permit system from the Environmental Protection Agency; ***SB 127,*** relative to dissolved oxygen water quality standards.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Public hearing on non-germane amendment (1443h) to ***SB 126,*** relative to eligibility of hospitals with renewable energy projects for funds from the renewable energy fund. The amendment would allow the combustion of bio-oil or bio-synthetic gas produced from the wood component of construction and demotion debris. Copies of the amendment are available in the Sergeant-at-Arms office, Room 318, State House.

10:30 a.m. Full committee work session on ***SB 181,*** relative to the regulation of biodiesel; ***SB 128,*** relative to the policy goal of electric utility restructuring.

1:30 p.m. Executive session on ***SB 50,*** relative to members of the site evaluation committee; ***SB 123,*** establishing a commission to study a carbon reduction investment program for New Hampshire; ***SB 124,*** establishing a commission to study municipal regulation and incentives for solar energy; ***SB 128,*** relative to the policy goal of electric utility restructuring; ***SB 181,*** relative to the regulation of biodiesel.

STATE VETERANS ADVISORY COMMITTEE (RSA 115-A:2), New Hampshire National Guard Air Facility, 26 Regional Drive, Concord

5:00 p.m. Regular meeting.

WEDNESDAY, MAY 3

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

10:00 a.m. ***SB 81,*** relative to licensing of mortgage loan originators from another state.

10:30 a.m. ***SB 86,*** relative to the regulation of banks, trusts, and credit unions by the banking department.

11:00 a.m. ***SB 85,*** amending the Uniform Securities Act.

Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

TRANSPORTATION, Room 203, LOB

10:00 a.m. Full committee work session on retained ***HB 314,*** relative to autonomous vehicles.

10:15 a.m. Presentation by auto manufacturers regarding the state of autonomous vehicle technology.

WAYS AND MEANS, Room 202, LOB

10:00 a.m. Presentation: MET and Nursing Facility Quality Assessment Tax (NFQA).

1:00 p.m. Revenues update.

FRIDAY, MAY 5

COMMISSION TO REVIEW CHILD ABUSE FATALITIES (RSA 169-C:39-k), Room 103, SH *****Please Note Room*

1:00 p.m. Regular meeting.

GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, TREATMENT, AND RECOVERY (RSA 12-J:1), Kimball Jenkins Estate, 266 North Main Street, Concord

9:00 a.m. Regular meeting.

SUNDAY, MAY 7

LEGISLATIVE YOUTH ADVISORY COUNCIL (RSA 19-K:1), New Hampshire Technical Institute, Crocker Sweeney Building, Room 225, Concord

1:00 p.m. Regular meeting.

TUESDAY, MAY 9

CHILDREN AND FAMILY LAW, Room 206, LOB

10:00 a.m. Subcommittee work session on retained ***HB 134-FN,*** relative to causes for divorce; ***HB 135,*** relative to the submission of evidence prior to hearings in divorce cases; ***HB 236,*** relative to determination of parental rights and responsibilities and establishing a presumption in favor of shared residential responsibility; ***HB 506,*** relative to notice of a petition for modification of child support.

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

10:00 a.m. Briefing on state banks.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. Executive session on ***SB 66-FN,*** including a fetus in the definition of "another" for purposes of certain criminal offenses; ***SB 133-FN,*** relative to security screening at state correctional facilities. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Full committee work session on ***SB 126,*** relative to eligibility of hospitals with renewable energy projects for funds from the renewable energy fund; ***SB 129,*** requiring a portion of the renewable energy fund to benefit low to moderate income residential customers, relative to electric renewable energy classes, relative to the class rate for biomass, and relative to requirements for incentive payments from the renewable energy fund.

1:30 p.m. Executive session on ***SB 126,*** relative to eligibility of hospitals with renewable energy projects for funds from the renewable energy fund; ***SB 129,*** requiring a portion of the renewable energy fund to benefit low to moderate income residential customers, relative to electric renewable energy classes, relative to the class rate for biomass, and relative to requirements for incentive payments from the renewable energy fund.

WEDNESDAY, MAY 10

WELLNESS AND PRIMARY PREVENTION COUNCIL (RSA 126-M:3), Room 205, LOB

8:30 a.m. Regular meeting.

THURSDAY, MAY 11

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

10:00 a.m. ***SB 18,*** relative to reinstatement of foreign corporations and foreign limited liability partnerships.

10:30 a.m. ***SB 42,*** eliminating the hearing requirement for late reinstatement of corporations. Executive session on pending legislation may be held throughout the day, time permitting, from the time the committee is initially convened.

HOME EDUCATION ADVISORY COUNCIL (RSA 193-A:10), Department of Education Londergan Hall, Room 15, 101 Pleasant Street, Concord

3:30 p.m. Regular meeting.

FRIDAY, MAY 12

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Department of Revenue, 109 Pleasant Street, Concord

9:30 a.m. Regular meeting.

HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13), Room 205, LOB

11:00 a.m. Regular meeting.

FISCAL COMMITTEE (RSA 14:30-a), Rooms 210-211, LOB

10:00 a.m. Regular meeting.

NEW HAMPSHIRE RAIL TRANSIT AUTHORITY (RSA 238-A:2), Room 203, LOB
10:00 a.m. Regular meeting.

STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD EVALUATION COMMITTEE (RSA 99-E:1, I), Room 101, LOB
9:30 a.m. Regular meeting.

MONDAY, MAY 15

COASTAL MARINE NATURAL RESOURCES AND ENVIRONMENT COMMISSION (RSA 485-G:1), New Hampshire Coastal Program, Department of Environmental Services, 222 International Drive, Suite 175, Pease Tradeport, Portsmouth
9:00 a.m. Regular meeting.

NEW HAMPSHIRE COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H), New Hampshire Higher Education Assistance Foundation, 4 Barrell Court, Concord
10:00 a.m. Quarterly meeting. Please note, there will be no Investment Committee meeting.

NEW HAMPSHIRE COMMISSION ON DEAFNESS AND HEARING LOSS (RSA 125-Q), Room 205, LOB
1:30 p.m. Regular meeting.

NEW HAMPSHIRE VETERANS HOME BOARD OF MANAGERS (RSA 119:3-a), New Hampshire Veterans Home, Tarr South Conference Room, 139 Winter Street, Tilton
9:00 a.m. Regular meeting.

THURSDAY, MAY 18

COMMISSION ON POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN INJURY (RSA 115-D), Walker Building, Room 100, 21 South Fruit Street, Concord
2:30 p.m. Regular meeting.

FRIDAY, MAY 19

ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 306-308, LOB
9:00 a.m. Regular meeting.

ENERGY EFFICIENCY AND SUSTAINABLE ENERGY BOARD (RSA 125-O:5-a), New Hampshire Public Utilities Commission, Suite 10, 21 South Fruit Street, Concord
9:00 a.m. Regular meeting.

NEW HAMPSHIRE RAIL TRANSIT AUTHORITY (RSA 238-A:2), Room 203, LOB
10:00 a.m. Regular meeting.

NH-CANADIAN TRADE COUNCIL (RSA 12-A:2-g), Room 100, SH
1:00 p.m. Regular meeting.

MONDAY, MAY 22

COMMITTEE TO STUDY EXOTIC AQUATIC WEEDS AND EXOTIC AQUATIC SPECIES OF WILDLIFE IN THE STATE OF NEW HAMPSHIRE (RSA 487:30), Room 307, LOB
11:00 a.m. Regular meeting.

FISH AND GAME AND MARINE RESOURCES, Owl Brooke Fish and Game Educational Center, 387 Perch Pond Road, Holderness
10:00 a.m. Tour of and presentation by the Owl Brooke Fish and Game Educational Center.

OIL FUND DISBURSEMENT BOARD (RSA 146-D:4), Room 305, LOB
9:00 a.m. Regular meeting.

WEDNESDAY, MAY 24

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB
10:00 a.m. Subcommittee work session on retained ***HB 628-FN,*** relative to a family and medical leave insurance program.

THURSDAY, MAY 25

COMMISSION ON PRIMARY CARE WORKFORCE ISSUES (RSA 126-T), New Hampshire Medical Society, 7 North State Street, Concord
2:00 p.m. Regular meeting.

FRIDAY, MAY 26

ASSESSING STANDARDS BOARD (RSA 21-J:14-aRoom 303, LOB
9:30 a.m. Regular meeting.

MONDAY, JUNE 5

COMMITTEE TO STUDY RSA 461-A, RELATIVE TO PARENTAL RIGHTS AND RESPONSIBILITIES (HB 378, Chapter 281:1, Laws of 2016), Room 307, LOB
10:00 a.m. Regular meeting.

STATE COMMITTEE ON AGING (RSA 161-F:7, I), Department of Health and Human Services, Brown Building, Room 232, 129 Pleasant Street, Concord
10:00 a.m. Regular meeting.

TUESDAY, JUNE 6

STATE VETERANS ADVISORY COMMITTEE (RSA 115-A:2), New Hampshire National Guard Air Facility, 26 Regional Drive, Concord
5:00 p.m. Regular meeting.

FRIDAY, JUNE 9

STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD EVALUATION COMMITTEE (RSA 99-E:1, I), Room 101, LOB
9:30 a.m. Regular meeting.

TELECOMMUNICATIONS PLANNING AND DEVELOPMENT ADVISORY COMMITTEE (RSA 12-A:46), New Hampshire Department of Resources and Economic Development, 172 Pembroke Road, Concord
10:00 a.m. Regular meeting.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

The **Hillsborough** County Executive Committee will be meeting on **Friday, April 28th at 9:00 a.m.** at the Hillsborough County Complex in Goffstown.

Rep. Larry Gagne, Clerk

COUNTY DELEGATION NOTICE

The Executive Committee of the **Merrimack** County Delegation will meet on **Friday, May 5th at 9:00 a.m.** in the lower level conference room of the McDonnell Building, 4 Court Street, Concord. The purpose of the meeting is 1st quarter financial review and approval, and any other business.

Rep. James MacKay, Chairman

REVISED FISCAL NOTES

The following bills have a revised fiscal note: HB 25, HB 79, HB 97, HB 124, HB 152, HB 156, HB 205, HB 291, HB 354, HB 356, HB 368, HB 435, HB 452, HB 455, HB 485, HB 572, HB 586, HB 597, HB 625, HB 626, HB 628, HB 631, HB 641, HB 644, HB 646, HB 647, HB 648, HB 649, HB 652, HB 654, HB 655. SB 2, SB 18, SB 30, SB 54, SB 56, SB 57, SB 88, SB 131, SB 133, SB 135, SB 144, SB 205, SB 206, SB 234.

Paul C. Smith, Clerk of the House

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When the House Clerk's Office is aware of House Members who are hospitalized or homebound by serious illness, we publish a list of names and addresses as requested. Colleagues who so desire may send cards and greetings to Rep. Kendall Snow, 150 Birchwood Road, Manchester, NH, 03104.

MEMBERS' NOTICES

The following notices are published in the House Record as a courtesy to the member(s) requesting publication. These are not official public notices and will be limited to legislative policy or legislative social activities and political meetings or events. Publication should not be construed as support for either the events listed or the views espoused by the individual or organization sponsoring the event.

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Are you interested in the Arts? We are looking to form a House Arts Caucus and are looking for help. Representatives who are artists, creative, businesspeople, or otherwise supporters of the arts, we are interested in creating a group to examine if there is an economic value in the arts, and to learn and educate ourselves. Please contact Rep. Gidge at gidge@gmail.com or at 864-9332 if you are interested.

Rep. Ken Gidge

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Everyone is invited to bring your family and friends to New Hampshire Fish and Game Department's biggest and most popular free community event of the year, which is set for **Saturday, April 29th from 10:00 a.m. to 3:00 p.m.** on the grounds of the Fish and Game Department at 11 Hazen Drive in Concord.
Discover Wild New Hampshire Day is a fun way for the whole family to explore New Hampshire's wildlife resources and legacy of outdoors traditions. Browse educational exhibits presented by environmental and conservation organizations from throughout the state. See live animals, big fish and trained falcons. Try your hand at archery, casting, fly-tying and B-B gun shooting. Watch retriever dogs in action. Get creative with hands-on craft activities for the kids, and check out the latest hunting and fishing gear and gadgets. An educational and fun-filled FREE event for all ages.

Rep. Robert L'Heureux

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The University of New Hampshire is hosting the second annual University Day on the State House lawn on **Tuesday, May 2nd from 11:00 a.m. to 1:00 p.m.** Enjoy a BBQ lunch provided by UNH's award-winning dining services and music by a student jazz band. Explore a wide range of exhibits and interactive demonstrations led by world-renowned researchers, students, faculty and staff from UNH. Learn more about how the education, research, programs and activities at your state flagship university benefit the Granite State. Register at: bit.ly/UDay2017.

Reps. Dick Hinch and Stephen Shurtleff

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All members are invited to attend Capitol Prayer and Bible Study with Pastor Peter Chamberland on **May 4th at 8:00 a.m.** in Room 206, LOB. Join us for a time of devotion and prayer before session.

Rep. Valerie Fraser

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The members of the National Association of Insurance and Financial Advisors (NAIFA) cordially invite all senators, representatives and staff to a reception in the State House cafeteria on **Thursday, May 4th from 7:30 a.m. to 9:30 a.m.** where an executive continental breakfast will be served. NAIFA members live throughout New Hampshire. They are your local insurance and financial advisors who assist residents with life, health, disability, and long-term care insurance as well as investment products. Please come by to meet NAIFA members and learn more about the services they provide in our state.

Reps. Dick Hinch and Stephen Shurtleff

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The NH Children's Behavioral Health Collaborative and New Futures Kids Count invite all legislators to a Policy Lunch on **Thursday, May 4th from noon to 1:30 p.m.** at St. Paul's Church on Centre Street in honor of Children's Mental Health Awareness Day. Come learn about legislative efforts to improve treatment of children living with mental health and substance use disorders, including reducing hospitalizations and addressing the boarding crisis in NH's emergency rooms.

Reps. Fothergill and Knirk

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There will be a meeting of the E-Poll Working Group **Friday, May 5th at 10:00 a.m.** in Rooms 306-308, LOB.

Rep. Barbara Griffin

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The NH Association of Regional Planning Commissions will be sponsoring a legislative breakfast on **Thursday, May 11th from 8:00 a.m. to 10:00 a.m.** at the State House cafeteria. New Hampshire's nine regional planning commissions will be sharing information on a diverse mix of projects and programs that we are working on to assist and support our member communities. All legislators and staff are cordially invited to attend.

Reps. Franklin Sterling and Lucy Weber

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Please join us on **Wednesday, May 17th from 3:00 p.m. to 4:00 p.m.** at the Upham Walker House to celebrate your alma mater, hear from some of our newest alumni, and take part in a group photo to commemorate the occasion. We are proud to say we have 70+ University of New Hampshire, Keene State College, Plymouth State University and Granite State College alumni serving in the state legislature. Refreshments will be served. Please RSVP to Pat Waldvogel at (603)387-1037 or pat.waldvogel@usnh.edu.

Rep. Mary Jane Wallner

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In recognition of your support, the New Hampshire Law Enforcement Officers Memorial Association cordially invites you to attend the 25th Annual New Hampshire Law Enforcement Officers Memorial Ceremony to honor the law enforcement officers throughout the state of New Hampshire who have made the ultimate sacrifice and died in the line of duty while protecting the citizens of the state. The ceremony will be held on **Friday, May 19th** beginning promptly **at 9:45 a.m.** at the Memorial Site in front of the Legislative Office Building. The ceremony will proceed rain or shine. A light luncheon will be served immediately following the ceremony. Please do not hesitate to contact Colonel Kevin Jordan at the New Hampshire Fish and Game Department at 603-271-3128 if you have any questions.

Reps. Dick Hinch and Stephen Shurtleff

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Come enjoy refreshments on a busy day in Concord! The NH Chapter of the American Foundation for Suicide Prevention (AFSP) cordially invites all legislators and staff to a luncheon on **May 25th from 11:00 a.m. to 3:00 p.m.** in the State House Cafeteria. National AFSP Vice President of Public Policy, John Madden, and New Hampshire citizens active in AFSP will be on hand to greet and talk with lawmakers.

Reps. Patricia Lovejoy, Rebecca McBeath, and Kathleen Hoelzel

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The NH Oral Health Coalition invites all legislators to join us for our annual legislative breakfast, *"Banding Together for NH's Oral Health"* on **Thursday, June 1st from 7:30 a.m. to 9:00 a.m.** in the State House Cafeteria. A hot breakfast will be served by Elizabeth's Kitchen. Your local community oral health providers will be there with displays and information. RSVP to: info@nhoralhealth.org or call 603-415-5550.

Rep. Tom Buco

STATE HOUSE VISITATION SCHEDULE

As a convenience to the members of the NH General Court, the Visitors' Center offers the following schedule of schools and other groups visiting the State House in 2017. These listings are to ensure all members be notified in a timely manner of visitors from their district. Our schedule is tightly booked for the school year and subject to changes. Note that large groups are divided into smaller groups for tours.

Please contact the Visitor Center concerning school tour booking information. Legislators planning to meet with students should notify the Visitor Center. Thank you for your continued participation with your School Visitation Program.

Virginia J. Drew, Director
Deborah Rivers, Public Information Administrator

DATE	*TIME*	*GROUP*	*#/GRADE*
April 28	9:45	Marlborough School	19/4
April 28	10:15	Fuller School – Keene	50/4
April 28	11:30	Pine Tree School – Conway	40/3
May 1	10:00/11:15 SH/HM	Swasey Central School – Brentwood	63/4

DATE	*TIME*	*GROUP*	*#/GRADE*
May 2	10:15	No. Walpole School	30/4
May 2	11:00/12:00	D.J. Bakie School – Kingston	57/4
May 3	9:15/10:30 SH/CC	Hanover St. School – Lebanon	70/4
May 4	9:00	Parker Academy – Concord	12/HS
May 4	9:30	Campton Elementary School	34/4
May 4	10:15	Ossipee Central School	40/4
May 4	11:30	Holderness Central School	25/4
May 5	9:45	Florence Rideout School – Wilton & Lyndeborough	51/4
May 5	10:30	Christa McAuliffe School – Concord	35/4
May 5	12:45	Christa McAuliffe School – Concord	35/4
May 8	9:00	St. Anthony's School – Manchester	9:00
May 8	10:30	Groveton & Stratford Elementary Schools	40/4
May 9	9:45 * 2 tours	Henry Wilson Elementary School – Farmington	80/4
May 9	3:30	St. Paul's School Faculty Women's Group	12/adults
May 10	9:30	Rye Elementary School	45/4
May 10	10:30	Hancock & Greenfield Elementary Schools	30/4
May 10	12:30	Jennie D. Blake School – Hill	64/K-6
May 11	9:30	Bristol Elementary School	40/4
May 11	9:30/11:00 SH/HM	Gossler Park School – Manchester	78/4
May 12	9:30	Henniker Community School	44/4
May 12	10:00/11:30 SH/HM	Mastway School – Lee	60/4
May 12	3:00	York Rite Masons	
May 15	9:30/11:00 SH/HM	Northwest Elementary School – Manchester	100/4
May 15	10:00	Bernice Ray School – Hanover	38/4
May 16	11:30	Mill Falls Charter School – Manchester	33/4
May 16	10:00	Birch Hill Elementary School – Nashua	85/4
May 16	1:30	NH Housing Legislative Day group	14/adults
May 17	9:30	Bedford High School – Taiwanese students	30/HS
May 17	10:00	International Women's Club – Hanover	20/adults
May 17	11:15	Newfields Elementary School	28/4
May 18	9:30	Alton Central School	49/3
May 18	10:00	World Academy – Nashua	22/3
May 18	10:00	Meeting House Montessori School – Bow	6/4
May 19	9:00	Lebanon High School	48/HS
May 19	10:00	Washington Elementary School	22/4
May 19	11:00	Tri City Christian School – Somersworth	15/4
May 22	9:15/10:15	Hollis Brookline High School	75/HS
May 23	9:00	Andover Elementary School	29/4
May 23	10:15	Pelham Elementary School	50/4
May 23	10:30/11:30	Nottingham Elementary School	63/4
May 24	9:00	Strong Foundations Charter School – Pembroke	20
May 24	10:15	Pelham Elementary School	50/4
May 24	11:00	North Hampton Recreation Senior Citizens	15/Srs
May 25	9:00	Merrimack Middle School	45/8
May 25	10:15	Pelham Elementary School	50/4
May 25	11:30	John Fuller School – North Conway	40/4
May 26	9:45	Sanbornton Central School	30/4
May 26	10:30	Lin-Wood School – Lincoln/Woodstock	35/4
May 26	11:00	Enfield Village School	37/4
May 30	9:30	Bridgewater-Hebron Elementary School	30/4
May 30	10:45	St. Elizabeth Seton School – Rochester	7/4
May 30	10:45	Sant Bani School – Sanbornton	15/4
May 31	9:45	St. Thomas Aquinas School – Derry	37/3&4
May 31	11:00/12:30	Hillside Elementary School – Berlin	80/4
May 31	1:00	Mountain Shadows School – Dublin	6/6
June 1	9:30	Kensington Elementary School	22/4
June 1	10:45	Grantham Elementary School	38/4
June 1	11:30	Effingham Elementary School	18/4
June 2	9:00	Danbury Elementary School	22/3&4

DATE	*TIME*	*GROUP*	*#/GRADE*
June 2	10:00/11:15 SH/HM	William Allen School – Rochester	65/4
June 5	9:30	Hampton Falls School	33/4
June 5	10:00/11:15 SH/HM	Weston Elementary School – Manchester	90/4
June 6	9:00	Riddle Brook School – Bedford	60/4
June 6	10:15/11:30 SH/HM	Moharimet Elementary School – Madbury, Lee, Durham	95/4
June 7	9:00	Riddle Brook School – Bedford	60/4
June 7	10:00	Boscawen Elementary "Gettysburg Address" group	16/5
June 8	10:00	Chesterfield School	40/4
June 8	2:00	Ed Fenn School – Gorham	36/4
June 9	9:00	New Hampton Community School	21/4
June 12	9:30	Plymouth Elementary School	40/4
June 12	9:45	Salisbury Webster Schools	30/4
June 12	10:15	Ben Franklin Elementary School – Keene	42/4
June 13	10:00/11:00	Lamprey River Elementary School – Raymond	100/4
June 13	10:15	Wheelock School – Keene	33/4
June 14	9:30/11:00	North Londonderry Elementary School	101/4
June 15	9:15	Henry W. Moore School – Candia	40/4
June 16	10:15	Cornish School	22/3&4
June 30	12:15	American Legion Boys State	

AMENDMENTS

(LISTED IN NUMERICAL ORDER)

Amendment to SB 16
(2017-1427h)
Proposed by the Committee on Commerce and Consumer Affairs - c

Amend RSA 77-A:23, V as inserted by section 1 of the bill by replacing it with the following:

V. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2018.

Amend the bill by replacing paragraph VI of section 3 with the following:

VI. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2018.

Amend the bill by replacing paragraph I of section 5 with the following:

I. Section 2 of this act shall take effect November 1, 2018.

Amendment to SB 38-FN
(2017-1437h)
Proposed by the Committee on Public Works and Highways - r

Amend the title of the bill by replacing it with the following:

AN ACT making an appropriation to the department of transportation for local highway aid and aid for municipal bridges, relative to distribution of highway aid, and relative to red list bridges.

Amend the bill by replacing all after the enacting clause with the following:

1 Purpose Statement. The general court recognizes that there is a need to provide targeted funding for local infrastructure projects. Therefore, it is the intent of this act to designate certain surplus funds in the 2016-2017 biennial budget for providing grants to fund local infrastructure projects in accordance with the purposes and provisions of this act and to further clarify the criteria for red list bridges.

2 Department of Transportation; Appropriation.

I. There is hereby appropriated to the department of transportation the sum of $36,800,000 for the fiscal year ending June 30, 2017, which shall be nonlapsing and expended pursuant to paragraph II. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. The sum appropriated in paragraph I shall be allocated as follows:

(a) $30,000,000 shall be expended for additional "Apportionment A" distributions under RSA 235:23, I.

(b) $6,800,000 shall be expended for state bridge aid for municipal bridges under RSA 234.

III. No funds appropriated in paragraph I shall be used for supplanting locally budgeted and approved funds for road or bridge maintenance or construction. The funds appropriated in paragraph I may be considered unanticipated money under RSA 31:95-b and may be accepted and expended pursuant to RSA 31:95-b, II through IV, whether or not a town has adopted the provisions of RSA 31:95-b.

3 Federal and State Highway Aid; Construction and Reconstruction. Amend RSA 235:23-a, III to read as follows:

III. The commissioner***, for budgeting purposes,*** shall allocate ***at least 70 percent of*** the funds in the highway and bridge betterment account for the 6 state highway districts in the following priority:

(a) [Repealed.]

(b) For each state highway district in the state, based upon a formula in which 1/2 of the amount of the funds distributed is based upon the proportion which the mileage of state-maintained class I, class II, and class III highways, excluding turnpikes, in each district, as of January 1 of the previous year, bears to the total of such mileage in the state; and 1/2 of the amount of the funds distributed is based upon the proportion which the number of state maintained class I, class II and class III highway bridges, excluding turnpikes, in each district as of January 1 of the previous year bears to the total of such number of bridges in the state. ***The commissioner shall distribute the remaining funds on a statewide basis to achieve regional equity based on condition, taking into account deviations in bid prices and existing infrastructure condition, excluding funds used for emergency repair.***

4 Red List Bridges. Amend RSA 234:25-a, I to read as follows:

I. The commissioner of transportation shall establish and maintain a list of ***highway*** bridges that are found, after inspection by the department, to be structurally deficient, which shall be known as red list bridges. ***This list shall also include structurally deficient state-owned railroad bridges over highways.***

5 New Paragraph; Red List Bridges; Definition. Amend RSA 234:25-a by inserting after paragraph IV the following new paragraph:

V. In this chapter, a structurally deficient bridge means a bridge with a primary element in poor or worse condition (National Bridge Inventory (NBI) rating of 4 or less).

6 Inspection of Red List Bridges. Amend RSA 234:25-b to read as follows:

234:25-b Inspection of Red List Bridges; Report.

I. The department of transportation shall inspect every ***red list*** state-owned bridge on the red list biannually and every ***red list*** municipal bridge annually ***as a minimum***.

II. The department of transportation shall annually provide a complete list of state-owned and municipally-owned red list bridges to the governor, the executive council, the speaker of the house of representatives, the president of the senate, and the house and senate standing committees with jurisdiction over highways and bridges. Additionally the department shall annually notify the governing bodies of municipalities of any red list bridges owned by such municipality and any state-owned red list bridge within such municipality. These reports and notifications shall be provided on or before [~~February~~] ***April*** 1 of each year.

7 Effective Date.

I. Sections 3 through 6 of this act shall take effect July 1, 2017.

II. The remainder of this act shall take effect upon its passage.

2017-1437h
AMENDED ANALYSIS

This bill:

I. Makes an appropriation to the department of transportation for local highway aid and municipal bridge aid.

II. Modifies the distribution of betterment funds.

III. Clarifies the criteria for red list bridges.

Amendment to SB 45
(2017-1447h)
Proposed by the Committee on Education - c

Amend the bill by replacing section 1 with the following:

1 Instruction in National and State History and Government; Civics Instruction. Amend RSA 189:11 to read as follows:

189:11 Instruction in National and State History and Government.

I. In all public and private schools in the state there shall be given regular courses of instruction in the history, government and constitutions of the United States and New Hampshire, including the organization and operation of New Hampshire municipal, county and state government and of the federal government. Such instruction shall begin not later than the [~~opening~~] ***beginning*** of the eighth grade and shall continue in ***all*** high [~~school~~] ***schools*** as [~~an identifiable~~] ***a*** component of a [~~year's~~] ***one credit*** course ***of instruction required for high school graduation*** in [~~the history and government of the~~] United States and New Hampshire ***history and a one-half credit course of instruction required for high school graduation in United States and New Hampshire government/civics. A school district shall develop and offer the United States and New Hampshire government/civics course and at a minimum, the course shall include instruction in the following areas:***

(a) Opportunities and responsibilities for civic involvement.

(b) Skills to effectively participate in civic affairs.

(c) The U.S. Constitution and the principles stated in the Articles and Amendments of the U.S. Constitution that provide the foundation for the democratic government of the United States.

(d) The New Hampshire constitution and the principles stated in the articles of the New Hampshire constitution that provide the foundation for the democratic government of New Hampshire.

(e) The structure and functions of the 3 branches comprising federal and state governments: legislative, judicial, and executive.

(f) The role, opportunities, and responsibilities of a citizen to engage in civic activity.

(g) The role and interactions of the state of New Hampshire and local governments within the framework of the U.S. Constitution and of extended powers and functions provided to local governments.

(h) How federal, state, and local governments address problems and issues by making decisions, creating laws, enforcing regulations, and taking action.

(i) The role and actions of government in the flow of economic activity and the regulation of monetary policy.

II. As a component of instruction under paragraph I, a locally developed competency assessment of United States government and civics that includes, but is not limited to, the nature, purpose, structure, function, and history of the United States government, the rights and responsibilities of citizens, and noteworthy government and civic leaders, shall be administered to students as part of the high school course in history and government of the United States and New Hampshire. Students who attain a passing grade on the competency assessment shall be eligible for a certificate issued by the school district. The United States Citizenship and Immigration Services (USCIS) test may be used to satisfy the requirement of this paragraph.

2017-1447h

AMENDED ANALYSIS

This bill provides that a civics course shall be required for high school graduation.

Amendment to SB 101-FN
(2017-1503h)
Proposed by the Committee on Education - r

Amend the title of the bill by replacing it with the following:

AN ACT relative to enrollment eligibility for regional career and technical education programs and relative to high school students participating in New Hampshire's dual and concurrent enrollment program and making an appropriation therefor.

Amend the bill by replacing all after section 1 with the following:

2 New Subdivision; Dual and Concurrent Enrollment Program. Amend RSA 188-E by inserting after section 24 the following new subdivision:

Dual and Concurrent Enrollment Program

188-E:25 Definitions. In this subdivision:

I. "Concurrent enrollment" means courses taught at the high school by high school teachers approved by the community college system of New Hampshire (CCSNH) in which high school students earn both high school and college or university credit while students are still attending high school or a career technical education center.

II. "Dual enrollment" means college courses taught by instructors from the community college system of New Hampshire (CCSNH) in which high school students earn college credit while students are still enrolled in high school or a career technical education center.

188-E:26 Program Established. There is established a dual and concurrent enrollment program in the department of education. Participation in the program shall be offered to high school and career technical education center students in grades 11 and 12. The program shall provide opportunities for qualified New Hampshire high school students to gain access and support for dual and concurrent enrollment in STEM (science, technology, engineering, and mathematics) and STEM-related courses that are fundamental for success in postsecondary education and to meet New Hampshire's emerging workforce needs.

188-E:27 Enrollment Requirements.

I. An interested high school student in grade 11 or 12 may enroll in a course that is designated by the CCSNH as part of the dual and concurrent enrollment program.

II. A student in the program shall be provided funding for enrollment in no more than 2 dual or concurrent enrollment courses taken in grade 11 and no more than 2 dual or concurrent enrollment courses taken in grade 12. A student may take more than 2 dual or concurrent enrollment courses per year at his or her own expense.

III. The state shall pay up to $250 to the CCSNH institution where a high school or career and technical education student successfully completes an approved course and the CCSNH shall accept such amount as full payment for course tuition.

IV. Each high school should provide a designated individual to serve as the point of contact on matters related to the program, including but not limited to, student counseling, support services, course scheduling, managing course forms and student registration, program evaluation, course transferability, and assisting with online courses. Each high school shall annually notify all high school students and their parents of dual and concurrent enrollment opportunities.

188-E:28 School Board Policy.

I. No later than July 1, 2018, the school board of each school district shall develop and adopt a policy permitting students residing in the district who are in grade 11 or 12 to participate in the dual and concurrent enrollment program. The policy shall, at a minimum, include compliance with measurable educational standards and criteria approved by the CCSNH and that meet the same standard of quality and rigor as courses offered on campus by the CCSNH. The policy shall also comply with the standards for accreditation and program development established by the National Alliance for Concurrent Enrollment Partnerships. The policy shall include, but not be limited to, student eligibility criteria, standards for course content, standards for faculty approval, program coordination and communication requirements, tuition and fees, textbooks and materials, course grading policy, data collection, maintenance, and security, revenue and expenditure reporting, and process for renewal of the agreement.

II. The department of education and the CCSNH shall develop and approve a model dual and concurrent enrollment agreement that shall be used by the CCSNH and the school board of a school district participating in the dual and concurrent enrollment agreement program. The model agreement shall include standards established by the CCSNH, shall include elements, standards, and criteria that have been approved by the department of education and CCSNH, and shall serve as the framework for the development, implementation, and administration of the dual and concurrent enrollment program in each school district by clearly defining the procedures related to concurrent and dual enrollment of high school students in college classes. The department shall further develop guidelines for the program relating to reporting, accountability, and payment of available funds to the CCSNH.

188-E:29 Budget Requests. The commissioner of the department of education shall submit expenditure requests in accordance with RSA 9:4 to fund the dual and concurrent enrollment program established in this subdivision.

3 Appropriation. The sum of $850,000 for the fiscal year ending June 30, 2018 and the sum of $950,000 for the fiscal year ending June 30, 2019 are hereby appropriated to the department of education to fund student participation in the dual and concurrent enrollment program established in RSA 188-E:25-29. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

4 Effective Date.

I. Section 1 of this act shall take effect 60 days after its passage.

II. The remainder of this act shall take effect July 1, 2017.

2017-1503h

AMENDED ANALYSIS

This bill changes the high school attendance requirement for enrolling in a career and technical education program from 2 years to one year. The bill also establishes a dual and concurrent enrollment program allowing certain high school students to enroll in courses for college credit.

Amendment to SB 155
(2017-1476h)
Proposed by the Committee on Health, Human Services and Elderly Affairs - c

Amend the bill by replacing section 1 with the following:

1 Medicaid Managed Care Program; Implementation.

I. Notwithstanding any other provision of law to the contrary, 2 of the remaining unimplemented phases of the Medicaid managed care program, established in RSA 126-A:5, XIX, specifically nursing facility services and services provided under the choices for independence waiver, issued by the Centers for Medicare and Medicaid Services (CMS) under 42 U.S.C. section 1396n(c), shall be incorporated into the Medicaid managed care delivery system beginning on July 1, 2019. The remaining provisions of step 2 of the Medicaid managed care program including services provided under the developmental disability waiver shall not be implemented before July 1, 2019.

II. The commissioner shall re-procure contracts with vendors to administer the Medicaid managed care program, with a program start date of July 1, 2019.

Amendment to SB 161
(2017-1524h)
Proposed by the Committee on Health, Human Services and Elderly Affairs - c

Amend RSA 151-E:21, I(a)(4) and(5) as inserted by section 1 of the bill by replacing them with the following:

(4) A representative of the Alzheimer's Association, appointed by the association.

(5) A representative of AARP New Hampshire, appointed by AARP New Hampshire.

Amend RSA 151-E:21, I(a) as inserted by section 1 of the bill by inserting after subparagraph (10) the following new subparagraph:

(11) A representative of Home Care Association of New Hampshire, appointed by the association.

Amendment to SB 191-FN
(2017-1516h)
Proposed by the Committee on Education - r

Amend the title of the bill by replacing it with the following:

AN ACT relative to the definition of average daily membership in attendance.

Amend the bill by replacing all after the enacting clause with the following:

1 Adequate Education; Definitions. Amend RSA 198:38, I(a) to read as follows:

(a) "Average daily membership in attendance" or "ADMA" means the average daily membership in attendance, as defined in RSA 189:1-d, III, of pupils in kindergarten through grade 12, in the determination year, provided that [~~no kindergarten pupil shall count as more than 1/2 day attendance per school year~~] ***a kindergarten pupil shall count as 1/2 day attendance in a school district operating a half-day kindergarten program, and as full day attendance in a school district operating a full-day kindergarten program***. ADMA shall only include pupils who are legal residents of New Hampshire pursuant to RSA 193:12 and educated at school district expense which may include public academies or out-of-district placements. For the purpose of calculating funding for municipalities, the ADMA shall not include pupils attending chartered public schools, but shall include pupils attending a charter conversion school approved by the school district in which the pupil resides.

2 Effective Date. This act shall take effect 60 days after its passage.

2017-1516h
AMENDED ANALYSIS

This bill specifies the manner in which kindergarten pupils are counted in a school district's average daily membership in attendance.

Amendment to SB 215-FN
(2017-1527h)
Proposed by the Committee on Executive Departments and Administration - c

Amend the title of the bill by replacing it with the following:

AN ACT requiring the department of administrative services to assess the costs of allowing the community college system employees to participate in the state health plan.

Amend the bill by replacing all after the enacting clause with the following:

1 Review of Impact of Community College System Employee Participation in the State Health Plan; Report. The department of administrative services and the community college system shall work together to analyze the financial impact of including the employees of the community college system in the state health plan pursuant to RSA 21-I:26. In order to facilitate this analysis, the community college system shall provide the department of administrative services with a de-identified data file of its health and basic life plan members and the cost data associated with their medical and pharmacy insurance claims for the last 2 years. The department of administrative services shall undertake an assessment of the costs and benefits of the community college system's participation in such plan. The commissioner of the department of administrative services shall report the findings, including a plan for future action, to the speaker of the house of representatives, the president of the senate, and the chairpersons of the house and senate executive departments and administration committees on or before November 1, 2017.

2 Effective date. This act shall take effect upon its passage.

2017-1527h
AMENDED ANALYSIS

This bill requires the department of administrative services and the community college system to analyze the financial impact of including the employees of the community college system in the state health plan.

Amendment to SB 230-FN
(2017-1504h)
Proposed by the Majority of the Committee on Judiciary - r

Amend RSA 564-E:102 as inserted by section 1 of the bill by replacing it with the following:

564-E:102 Definitions. In this chapter:

(1) "Agent" means a person granted authority to act for a principal under a power of attorney, whether denominated an agent, attorney-in-fact, or otherwise. The term includes an original agent, coagent, successor agent, and a person to which an agent's authority is delegated.

(2) “Conservator” means a person appointed by a court to administer the estate of an individual pursuant to RSA 464-A:13.

(3) “Court” means a court of competent jurisdiction.

(4) “Durable,” with respect to a power of attorney, means not terminated by the principal’s incapacity.

(5) “Electronic” means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(6) “Electronic signature” means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

(7) “General power of attorney” means a power of attorney that is not limited by its terms to a specified transaction or series of transactions, to a specific purpose, or to a specific asset or set of assets, or a power of attorney that grants an agent the authority to do any one or more of the acts described in RSA 564-E:201(a).

(8) “Guardian” means a guardian of the estate, a guardian of the person, or either a guardian of the estate or a guardian of the person, as the context may require.

(9) “Guardian of the estate” means a person appointed by a court to administer the estate of an adult individual, including a person appointed pursuant to RSA 464-A.

(10) “Guardian of the person’” means a person appointed by a court to make decisions regarding the support, care, education, health, and welfare of an adult individual, including a person appointed pursuant to RSA 464-A. The term does not include a guardian ad litem.

(11) “Good faith” means honesty in fact.

(12) “Incapacity” means inability of an individual to manage property or business affairs because the individual:

(A) has an impairment in the ability to receive and evaluate information or make or communicate decisions even with the use of technological assistance; or

(B) is:

(i) missing;

(ii) detained, including incarcerated in a penal system; or

(iii) outside the United States and unable to return.

(13) “Include” and “including” means the same as “include, without limitation” and “including, without limitation,” regardless of whether expressly specified.

(14) “Person” means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

(15) “Power of attorney” means a writing or other record that grants authority to an agent to act in the place of the principal, whether or not the term power of attorney is used.

(16) “Presently exercisable general power of appointment,” with respect to property or a property interest subject to a power of appointment, means power exercisable at the time in question to vest absolute ownership in the principal individually, the principal’s estate, the principal’s creditors, or the creditors of the principal’s estate. The term includes a power of appointment not exercisable until the occurrence of a specified event, the satisfaction of an ascertainable standard, or the passage of a specified period only after the occurrence of the specified event, the satisfaction of the ascertainable standard, or the passage of the specified period. The term does not include a power exercisable in a fiduciary capacity or only by will.

(17) “Principal” means an individual who grants authority to an agent in a power of attorney.

(18) “Property” means anything that may be the subject of ownership, whether real or personal, or legal or equitable, or any interest or right therein.

(19) “Record” means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(20) “Sign” means, with present intent to authenticate or adopt a record:

(A) to execute or adopt a tangible symbol; or

(B) to attach to or logically associate with the record an electronic sound, symbol, or process.

(21) “State” means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States. The term includes an Indian tribe or band recognized by federal law or formally acknowledged by a state.

(22) “Stocks and bonds” means stocks, bonds, mutual funds, and all other types of securities and financial instruments, whether held directly, indirectly, or in any other manner. The term does not include commodity futures contracts and call or put options on stocks or stock indexes.

Amend RSA 564-E:105 as inserted by section 1 of the bill by replacing it with the following:

564-E:105 Execution Of Power Of Attorney.

(a) With regard to a general power of attorney:

(1) The power of attorney must be signed (other than by electronic signature) by the principal or in the principal's conscious presence by another individual directed by the principal to sign the principal's name on the power of attorney and must be acknowledged before a notary public or other individual authorized by law to take acknowledgments.

(2) A disclosure statement in substantially the following form, signed (other than by electronic signature) by the principal or by another individual directed by the principal to sign the principal's name, must be affixed to the power of attorney:

INFORMATION CONCERNING THE POWER OF ATTORNEY

THIS IS AN IMPORTANT LEGAL DOCUMENT. BEFORE SIGNING THIS DOCUMENT YOU SHOULD KNOW THESE IMPORTANT FACTS:

Notice to the Principal: As the "Principal," you are using this Power of Attorney to grant power to another person (called the "Agent") to make decisions, including, but not limited to, decisions concerning your money, property, or both, and to use your money, property, or both on your behalf. If this Power of Attorney does not limit the powers that you give to your Agent, your Agent will have broad and sweeping powers to sell or otherwise dispose of your property, and to spend your money without advance notice to you or approval by you. Unless you have expressly provided otherwise in this Power of Attorney, your Agent will have these powers before you become incapacitated, and unless you have expressly provided otherwise in this Power of Attorney, your Agent will continue to have these powers after you become incapacitated. You have the right to retain this Power of Attorney and to release it later or to request that another person retain this Power of Attorney on your behalf and release it only if one or more conditions specified in advance by you are satisfied. You have the right to revoke or take back this Power of Attorney at any time, so long as you are of sound mind. If there is anything about this Power of Attorney that you do not understand, you should seek professional advice.

(b) A power of attorney to convey real estate must be signed (other than by electronic signature) by the principal or in the principal's conscious presence by another individual directed by the principal to sign the principal's name on the general power of attorney and must be acknowledged before a notary public or other individual authorized by law to take acknowledgments.

(c) Any other power of attorney must be signed by the principal or in the principal's conscious presence by another individual directed by the principal to sign the principal's name on the power of attorney.

(d) A signature on a power of attorney is presumed to be genuine if the principal acknowledges the signature before a notary public or other individual authorized by law to take acknowledgments.

Amend RSA 564-E:109(c)(1) and (2) as inserted by section 1 of the bill by replacing it with the following:

(1) a physician that the principal is incapacitated within the meaning of RSA 564-E:102(12)(A); or

(2) a judge, or an appropriate governmental official that the principal is incapacitated within the meaning of RSA 564-E:102(12)(B).

Amend RSA 564-E:113(a), as inserted by section 1 of the bill, by replacing it with the following:

(a) A person designated as agent under a general power of attorney shall have no authority to act as agent unless, at any time prior to exercising the power granted under the general power of attorney and not necessarily at the time the general power of attorney is signed by the principal, the person has signed (other than by electronic signature) and affixed to the general power of attorney an acknowledgment in substantially the following form:

I,_____, have read the attached power of attorney and am the person identified as the agent for the principal. I hereby acknowledge that when I act as agent, I am given power under the power of attorney to make decisions about money, property, or both belonging to the principal, and to spend the principal's money, property, or both on the principal's behalf, in accordance with the terms of the power of attorney. When acting as agent, I have duties (called "fiduciary duties") to act in the principal's best interest, to act in good faith, and to act only within the scope of authority granted in the power of attorney, as well as other duties imposed by law to the extent not provided otherwise in the power of attorney. As an agent, I am not entitled to use the money or property for my own benefit or to make gifts to myself or others unless the power of attorney specifically gives me the authority to do so. As an agent, my authority under the power of attorney will end when the principal dies and I will not have authority to manage or dispose of any property or administer the estate of the principal. If I violate a fiduciary duty under the power of attorney, I may be liable for damages and may be subject to criminal prosecution. If there is anything about the power of attorney, or my duties under it, that I do not understand, I understand that I should seek professional advice.

Amend the introductory paragraph of RSA 564-E:116(g) as inserted by section 1 of the bill by replacing it with the following:

(g) With regard to a petition to determine whether a particular gift is authorized,

Amend RSA 564-E:117 as inserted by section 1 of the bill by replacing it with the following:

564-E:117 Agent's Liability. An agent that violates this chapter may be held liable, and an agent that knowingly, willfully, or recklessly violates this chapter shall be liable, to the principal or the principal's successors in interest for the amount required to:

(1) restore the value of the principal's property to what it would have been had the violation not occurred; and

(2) reimburse the principal or the principal's successors in interest for the attorney's fees and costs paid on the agent's behalf.

Amend RSA 564-E:118, as inserted by section 1 of the bill, by replacing it with the following:

564-E:118 Agent's Resignation; Notice. An agent may resign by substantially complying with a method of resignation provided in the terms of the power of attorney or, if the terms of the power of attorney do not provide a method or the method provided in the terms is not expressly made exclusive or is not possible to achieve, by giving written notice to the principal and, if the principal is incapacitated:

(1) to the conservator or guardian, if one has been appointed for the principal, and a coagent or successor agent; or

(2) if there is no person described in paragraph (1), to:

(A) a parent, spouse, or descendant of the principal;

(B) the principal's caregiver;

(C) another person reasonably believed by the agent to have sufficient interest in the principal's welfare; or

(D) a governmental agency having authority to protect the welfare of the principal.

Amend RSA 564-E:301 as inserted by section 1 of the bill by replacing it with the following:

564-E:301 Statutory Form Power Of Attorney. A document substantially in the following form may be used to create a power of attorney that is in compliance with the provisions of this chapter:

NEW HAMPSHIRE
STATUTORY POWER OF ATTORNEY
INFORMATION CONCERNING THE POWER OF ATTORNEY

THIS IS AN IMPORTANT LEGAL DOCUMENT. BEFORE SIGNING THIS DOCUMENT YOU SHOULD KNOW THESE IMPORTANT FACTS:

Notice to the Principal: As the "Principal," you are using this Power of Attorney to grant power to another person (called the "Agent") to make decisions, including, but not limited to, decisions concerning your money, property, or both, and to use your money, property, or both on your behalf. If this Power of Attorney does not limit the powers that you give to your Agent, your Agent will have broad and sweeping powers to sell or otherwise dispose of your property, and to spend your money without advance notice to you or approval by you. Unless you have expressly provided otherwise in this Power of Attorney, your Agent will have these powers before you become incapacitated, and unless you have expressly provided otherwise in this Power of Attorney, your Agent will continue to have these powers after you become incapacitated. You have the right to retain this Power of Attorney and to release it later or to request that another person retain this Power of Attorney on your behalf and release it only if one or more conditions specified in advance by you are satisfied. You have the right to revoke or take back this Power of Attorney at any time, so long as you are of sound mind. If there is anything about this Power of Attorney that you do not understand, you should seek professional advice.

Principal's Signature:_____

Date:_____

1. DESIGNATION OF AGENT

I, (Name of Principal) , of (Address of Principal), name the following person as my agent:

Name of Agent: _____

Agent's Address: _____

2. DESIGNATION OF SUCCESSOR AGENT(S) (OPTIONAL)

If my agent is unable or unwilling to act for me, I name the following person as my successor agent:

Name of Successor Agent: _____

Successor Agent's Address: _____

If my successor agent is unable or unwilling to act for me, I name the following person as my second successor agent:

Name of Second Successor Agent: _____

Second Successor Agent's Address: _____

3. REVOCATION OF EXISTING POWERS OF ATTORNEY

(Initial the following statement if it is your choice.)

_____ This Power of Attorney revokes all existing powers of attorney previously executed by me.

4. GRANT OF GENERAL AUTHORITY

(Initial beside your choice of A or B, but not both.)

_____ A. I grant my agent general authority to act for me in all matters, including, without limitation, all of the subjects enumerated in B below.

_____ B. I grant my agent general authority over the following subjects as defined in the following sections of the Uniform Power of Attorney Act:

(Initial each subject you want to include in the agent's general authority.)
_____ Real Property as defined in RSA 564-E:204
_____ Tangible Personal Property as defined in RSA 564-E:205
_____ Stocks and Bonds as defined in RSA 564-E:206
_____ Commodities and Options as defined in RSA 564-E:207
_____ Banks and Other Financial Institutions as defined in RSA 564-E:208
_____ Operation of Entity or Business as defined in RSA 564-E:209
_____ Insurance and Annuities as defined in RSA 564-E:210
_____ Estates, Trusts and Other Beneficial Interests as defined in RSA 564-E:211
_____ Claims and Litigation as defined in RSA 564-E:212
_____ Personal and Family Maintenance as defined in RSA 564-E:213
_____ Benefits from Governmental Programs or Civil or Military Service as defined in RSA 564-E:214
_____ Retirement Plans as defined in RSA 564-E:215
_____ Taxes as defined in RSA 564-E:216
_____ Digital Assets

5. GRANT OF SPECIFIC AUTHORITY (OPTIONAL)

(Initial each subject you want to include in the agent's authority. CAUTION: As to some of the following subjects, granting your agent authority will give your agent the authority to take actions that could significantly reduce your property or change how your property is distributed at your death.)

My agent MAY NOT do any of the following specific acts for me UNLESS I have INITIALED the specific authority listed below:

_____ Create, amend, revoke, or terminate an inter vivos trust
_____ Make a gift, subject to the limitations of RSA 564-E:217 of the Uniform Power of Attorney Act

(If you have granted your agent the authority to make a gift, then as to each of the following statements, initial beside it if it is your choice.)

____ My agent may make a gift, even if it will leave me without sufficient assets or income to provide for my care without relying on Medicaid; other public assistance or charity.

____ My agent may make a gift to himself or herself and to any individual to whom my agent owes a legal obligation of support.

_____ Create or change rights of survivorship
_____ Create or change a beneficiary designation
_____ Delegate authority granted under this Power of Attorney to another person
_____ Waive my right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan
_____ Exercise the fiduciary power(s) that I have the authority to delegate as specified in the "Special Instructions" in Paragraph 7 of this Power of Attorney
_____ Exercise authority over the content of electronic communication sent or received by me
_____ Exercise authority with respect to intellectual property, including, without limitation, copyrights, contracts for payment of royalties, and trademarks

6. LIMITATION ON AGENT'S AUTHORITY (OTHER THAN GIFTING)

(If an agent (including successor agent) named in this Power of Attorney is someone other than an ancestor of yours, your spouse, or a descendant of yours, you must initial the following statement if it is your choice that such agent have the following authority. An agent who is an ancestor of yours, your spouse, or a descendant of yours already has the following authority under New Hampshire law.)

_____ My agent may exercise authority under this Power of Attorney to create in my agent, or in an individual to whom my agent owes a legal obligation of support, an interest in my property by any manner (other than a gift), including, without limitation, by right of survivorship, beneficiary designation, or disclaimer.

7. SPECIAL INSTRUCTIONS (OPTIONAL)

(Here you may include special instructions. You may leave this Paragraph blank. You may attach additional pages as necessary.)

_____

8. EFFECTIVE DATE AND AUTHORITY OF AGENT

This Power of Attorney is effective immediately unless I have stated otherwise in the Special Instructions in Paragraph 7 of this Power of Attorney. An agent (including successor agent) named in this Power of Attorney will have no authority to act as my agent until he or she has signed and affixed to this Power of Attorney an acknowledgment that is substantially the same as the Acknowledgment at the end of this Power of Attorney.

9. GOVERNING LAW

This Power of Attorney shall be governed by the laws of the State of New Hampshire.

10. RELIANCE ON THIS POWER OF ATTORNEY

Any person, including my agent, may rely upon this Power of Attorney if it is acknowledged before a notary public or other individual authorized to take acknowledgements (or a copy of the acknowledged Power of Attorney), unless that person knows it is void, invalid, or terminated.

SIGNATURE AND ACKNOWLEDGMENT
(You must date and sign this Power of Attorney. If you are physically unable to sign, it may be signed by someone else writing your name, in your presence and at your express direction. This Power of Attorney must be acknowledged before a notary public or other individual authorized by law to take acknowledgments.)
Principal's Signature:_____
Principal's Printed Name: _____
Principal's Address: _____
Date:_____
STATE OF NEW HAMPSHIRE
COUNTY OF _____
The foregoing Power of Attorney was acknowledged before me on _____, by _____, known to me or satisfactorily proven to be the person named herein
Signature of Notarial Officer:_____
Title (and Rank):_____
My commission expires:_____
AGENT ACKNOWLEDGMENT
Notice to Agent: You will have no authority to act as agent under this Power of Attorney until you sign and affix this acknowledgment to the Power of Attorney.
I, _____, have read the attached power of attorney and am the person identified as the agent for the principal. I hereby acknowledge that when I act as agent I am given power under the power of attorney to make decisions about money, property, or both belonging to the principal, and to spend the principal's money, property, or both on the principal's behalf, in accordance with the terms of the power of attorney. When acting as agent, I have duties (called "fiduciary duties") to act in the principal's best interest, to act in good faith, and to act only within the scope of authority granted in the power of attorney, as well as other duties imposed by law to the extent not provided otherwise in the power of attorney. As an agent, I am not entitled to use the money or property for my own benefit or to make gifts to myself or others unless the power of attorney specifically gives me the authority to do so. As an agent, my authority under the power of attorney will end when the principal dies and I will not have authority to manage or dispose of any property or administer the estate of the principal. If I violate a fiduciary duty under the power of attorney, I may be liable for damages and may be subject to criminal prosecution. If there is anything about this power of attorney, or my duties under it, that I do not understand, I understand that I should seek professional advice.
Agent's Signature:_____
Date:_____

Amendment to SB 234-FN
(2017-1376h)
Proposed by the Committee on Health, Human Services and Elderly Affairs - c

Amend RSA 318:52-c, I as inserted by section 2 of the bill by replacing it with the following:

I. No person shall sell, furnish, or give to any person, under 18 years of age, an instrument commonly known as a hypodermic syringe, hypodermic needle, or any instrument adapted for the administration of drugs by injection without the written or oral prescription of a licensed physician, physician assistant, dentist, veterinarian, podiatrist, or advanced practice registered nurse. Such prescription shall contain the name and address of the patient, the date of the prescription, the description of the instrument prescribed, and the number of instruments prescribed.

Amend RSA 318-B:43, II(d) and (e) as inserted by section 7 of the bill by replacing them with the following:

(d) Post its address, phone number, program contact information, if appropriate, hours of operation, and services offered on its Internet website.

(e) Register with the department of health and human services and confirm registration annually on or before November 1 of each subsequent year; provided however, the registration process shall be limited to notification to the department for data collection purposes only.

(f) Report quarterly to the department, which report shall include the following information regarding the program's activities:

(1) Number of needles/syringes distributed.
(2) Number of needles/syringes taken back.
(3) Number of HIV tests performed or delivered by the program.
(4) Number of HCV tests performed/delivered by program.
(5) Delivery of substance misuse treatment/care.
(6) Delivery of HIV care.
(7) Delivery of HCV care.
(8) Number of referrals to substance misuse treatment/services.
(9) Number of referrals to HIV testing.

(10) Number of referral to HCV testing.
(11) Number of referrals to HIV care.
(12) Number of referrals to HCV care.

Amendment to SB 235-FN
(2017-1421h)
Proposed by the Committee on Health, Human Services and Elderly Affairs - c

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Medicaid to Schools for Medical Services. Amend RSA 167 by inserting after section 3-j the following new section:

167:3-k Medicaid to Schools For Medical Services Program.

I. There is established within the department of health and human services a Medicaid reimbursement program to be known as the "Medicaid to schools for medical services" program providing medical assistance for covered services furnished to children in public schools. The purpose of the program is to seek Medicaid reimbursement for services provided by local school districts and school administrative units to children which are reimbursable under federal law but which would otherwise be fully funded by such districts or administrative units. General fund dollars allocated to the department of health and human services shall not be used for matching the federal financial participation for Medicaid reimbursement. All matching dollars for Medicaid to schools medical services shall come from the local school districts or school administrative units. The program shall be voluntary and administered by the department in the same, or similar, manner as the Medicaid to schools program established in RSA 186-C:25. This section shall not be construed to increase school district responsibility or liability beyond what is required by other state or federal law.

II. Eligible services may be provided to Medicaid-eligible children and may include services defined through rulemaking pursuant to paragraph IV under the following conditions:

(a) The service is a covered Medicaid service, provided in accordance with the approved state plan methodologies, including coverage under the Early and Periodic Screening Diagnostic and Treatment benefit provided to children.

(b) The provider is a Medicaid-participating provider and meets all federal and state provider qualification requirements.

(c) The state plan contains a payment methodology for determining rates that are consistent with efficiency, economy, and quality of care.

(d) Third party liability requirements are met.

(e) Medicaid payment does not duplicate other specific payments for the same service.

(f) The state and provider maintain auditable documentation to support claims for federal financial participation (FFP).

(g) The state conducts appropriate financial oversight of provider billing practices.

(h) All other federal and state program requirements for the service, payment, and associated claiming are met.

III. Services provided under this section shall:

(a) Be provided to children in conformity with any medical criteria necessary for Medicaid reimbursement.

(b) Be provided only after obtaining informed parental consent.

IV. The commissioner of the department of health and human services, after consultation with the commissioner of the department of education, shall adopt rules, pursuant to RSA 541-A, relative to:

(a) Further defining services eligible for Medicaid reimbursement under this section. In defining such services, the commissioner shall, to the extent practicable, seek to maximize the availability of federal financial assistance to local school districts and school administrative units.

(b) State plans and reimbursement procedures necessary for local school districts or school administrative units to receive appropriate Medicaid reimbursement for eligible services under paragraph II that are provided or paid for by school districts or school administrative units.

(c) Monitoring mechanisms to ensure that services provided under this section meet the requirements of paragraph III. Monitoring responsibilities shall be consistent with the jurisdiction of the different departments.

(d) A financial mechanism by which the federal mandatory matching requirement is met through collection, or other means, of 50 percent of the cost of allowable services from local school districts and/or school administrative units.

V. Billing for services in accordance with this section shall not commence until the administrative rulemaking procedure required under paragraph IV is complete and shall be for services provided on or after the effective date of such rules.

VI. New Hampshire local school districts or school administrative units shall be the enrolled Medicaid providers for the purpose of administration and billing.

2 New Paragraph; Medicaid to Schools Program. Amend RSA 186-C:25 by inserting after paragraph VI the following new paragraph:

VII. Beginning on September 1, 2018, the commissioner of the department of health and human services shall submit an annual report to the senate president, the speaker of the house of representatives, and the chairpersons of the house and senate finance committees regarding the total cost of the Medicaid to schools program and the number of students who received services through the program during the prior school year.

3 Department of Health and Human Services; Rulemaking. The department of health and human services shall initiate the rulemaking required under RSA 167:3-k, as inserted by section 1 of this act, no later than September 1, 2017.

4 Effective Date. This act shall take effect 60 days after its passage.

2017-1421h

AMENDED ANALYSIS

This bill establishes a Medicaid to schools for medical services program, which allows schools to pay for services provided to children with medical needs, regardless of whether the student receives special education services through an individualized education plan (IEP). The bill also adds a reporting requirement to the existing Medicaid to schools program.

Amendment to SB 140

(2017-1346h)

Proposed by the Committee on Executive Departments and Administration - c

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Application; Appointments.

I. The 3 members of the independent investment committee appointed by the governor with the consent of the council, under RSA 100-A:14-b, I as amended by section 1 of this act, shall be appointed for 3-year terms beginning July 1, 2017.

II. The 2 members of the independent investment committee appointed by the chairperson of the board of trustees, under RSA 100-A:14-b, I as amended by section 1 of this act, shall be appointed for 3-year terms beginning July 1, 2018.